

REMARKS

Applicant notes that the Examiner has allowed claims 11 and 19-21. Claims 10 and 16-18 have been amended to depend on allowed claim 11. Claims 1, 3-6, 8 and 9 have been canceled.

Applicant traverses the rejection of claims 1, 7 (note: claim 7 was canceled in the previous Amendment), 9 and 10 under 35 U.S.C. 102(b) as being anticipated by Johnson U.S. Patent Number 1,728,064 and the rejection of claims 1, 3, 9 and 10 under 35 USC 103(a) as being obvious and unpatentable over Johnson '064 in view of Ellner U.S. Patent Number 5,601,012 and Webster U.S. Patent Number 2,290,396. Claims 4-6 have been rejected under 35 USC 103(a) over Johnson '064 when combined with Ellner '012, Webster '396 and Savage U.S. Patent Number 5,400,698.

Johnson '064 is directed towards a baking mold which shows in Figures 4 and 7 the baking of multiple units. The device uses crimped pans or plates. The device has two hinged frames, one holding plates which are carried by the plate frame and the other frame holding dishes so that the plate frame can be folded down on the dish frame to provided for correct positioning. Thus, one plate forms the outer surface of the mold and the dish forms the inner surface of the mold to create a pastry shell to hold a later added filling. Spurs 18 provide the perforation of the top layer of dough for the escape of steam generated in baking. It is constructed differently and functions differently from the claimed device. This reference does not anticipate or obviate the presently claimed invention.

Ellner '012 is directed towards a bread baking assembly formed with a supporting wireframe which holds the bread bowls up and away from each other from the base of the oven.. The individual bowls are secured to an encircling framework or band and a separating beam. As noted

on Col. 8, Ins. 27-30, the framework is attached to each bread bowl at the two points along their widened portion. There is no teaching of inner and outer bowls, use of removable cover or a fluted insert, nor the ability to removably mount one to another to bake material into a predetermined shape. As noted, the framework provides the same function as a conveyor belt or a perforated tube.

Webster '396 discloses a mold with a central horn forming a ring mold. The bottom is formed with vent openings closed by valve plugs. When it is desired to strip the molded ring from the vessel, the valves are snapped open to admit air between the molded surface and vessel to positively separate the adhesion that occurs between the parts, thus freeing the molded product so that it can be stripped from the mouth of the vessel when the vessel is inverted.

Savage '698 discloses two nesting planar sheets with a plurality of hemispherical shaped projections formed therein depending downwardly therefrom. Corner pins 415 secured to the bottom of the top sheet in the center and corners of the top sheet are inserted into holes formed in the respective areas of the bottom sheet. The sheets are held together by spring clamps placed over opposing sides of the two sheets when stacked together. Thus, orientations in Savage '698 requires placement of the respective corner and center pins of the top sheet in the center and corner holes of the lower sheet. It should be noted that any bending of the pins or the planar sheet in the normal storage of the mold will result in it not being able to be nested together as the close tolerance required for fittings will result in misalignment. Further, the sheets are difficult to separate after baking due to the pins holding the planar sheets together. This reference cannot be combined with Johnson '064 to teach or arrive at the present invention.

Wheaton '507 is noted for its limited use of a fluted insert but cannot be combined with the cited references to obviate the present invention.

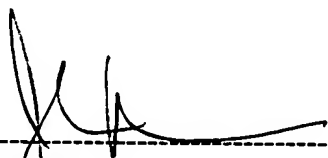
None of the cited references singularly or in combination anticipate teach or obviate the presently claimed invention.

If any additional charges are required, please charge Deposit Account Number 07-1340.

It is respectfully requested that the arguments and amendments present in the present application in condition for favorable reexamination since the dependent claims depend from allowed independent claims and that the application be passed to issue.

Respectfully submitted,

GIPPLE & HALE



John S. Hale
Registration No. 25,209

6665-A Old Dominion Drive
McLean, Virginia 22101
(703) 448-1770 ext. 304
Attorney Reference: X-9450